

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.10703 of 2016

Sivakumar Singh

...Petitioner/
Defacto complainant

Vs.

1. Inspector General of Police,
Police Head Quarters,
Pondicherry - 605 001.
2. The Superintendent of Police,
CID, Pondicherry.
3. The Inspector of Police,
CID, Pondicherry

...Respondents/
Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the case registered in Crime No.9 of 2016 on the file of the 3rd respondent herein and transfer the same to the file of CBI for conducting proper investigation in accordance with law and filing the final report within a time frame.

For Petitioner : Mr.V.S.Senthil Kumar
For Respondents : Mr.Baradhachakravarthi
Public Prosecutor (P)

ORDER

This petition has been filed seeking to transfer the investigation pending on the file of the 3rd respondent in Crime No.9 of 2016 to some other agency.

2. The 3rd respondent has registered an F.I.R in Crime No.9 of 2016 for an offence under Section 406, 420 IPC r/w 34 of IPC. Since the investigation has not progressed effectively and the petitioner is being pressurized to receive a lump sum amount and withdraw the complaint, the present petition has been filed seeking for transfer of investigation.

3. The learned Public Prosecutor appearing on behalf of the respondent submitted that the investigation has been completed in all respects except securing A1. The learned counsel further

submitted that A1 is the main accused, who had committed similar offence by cheating people and a case is also pending at Thanjavur. The learned counsel submitted that effective steps are being taken to secure A1 and to complete the investigation.

4. This Court has carefully considered the submissions made on either side.

5. Taking into consideration the facts and circumstances of the case, this Court is not inclined to transfer the investigation at this stage, since substantial investigation has already been done by the 3rd respondent. It will be enough if the 2nd respondent is directed to supervise the investigation conducted by the 3rd respondent to ensure that the investigation goes on effectively and A1 is secured in this case.

6. This Criminal Original petition is disposed of with a direction to the 2nd respondent viz., the Superintendent of Police, CBCID, Puducherry to supervise the investigation conducted by the 3rd respondent and take immediate steps to secure A1 and complete the investigation as expeditiously as possible and not later than six months from the date of receipt of copy of this order.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rka/msrm
To

1. Inspector General of Police,
Police Head Quarters,
Pondicherry - 605 001.

2. The Superintendent of Police,
CID, Pondicherry.

3. The Inspector of Police,
CID, Pondicherry

4. The Public Prosecutor(P)
High Court of Madras.

+1 CC to Mr.V.S. Senthil Kumar, Advocate sr 53078.

+1 CC to Public Prosecutor, Puducherry sr 53810

CRL.O.P.No.10703 of 2016

SSD(CO)
SP(15/07/2019)